

Message Text

CONFIDENTIAL

PAGE 01 STATE 301975
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C O N F I D E N T I A L STATE 301975

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TAGS: ESTC, COCOM, NO

SUBJECT: NORWEGIAN INTERPRETATIVE NOTE PROPOSED FOR
FLAME-CUTTING EQUIPMENT--IL 1091

REF: A) COCOM DOC. DEF (76) 1091/8
B) ANNEX TO COCOM DOC. DEF (76) 1091/4
C) COCOM DOC. (76) 1588 (BASIC CASE 1430)

1. WE HAVE CAREFULLY REVIEWED THE NORWEGIAN PROPOSAL (REFS A AND B) AND CAN CONCUR THAT THE KONGSBERG 600 FC NUMERICAL CONTROL UNIT SHOULD BE EXEMPT FROM EMBARGO; HOWEVER, THE HARDWARE AND SOFTWARE TECHNOLOGY FOR THIS ITEM, AND OTHERS LIKE IT THAT MAY BE ADDED TO THE LIST, SHOULD REMAIN, SUBJECT TO THE COMMITTEE'S REGULAR EXCEPTION PROCEDURES. IN ADDITION, WE FEEL THAT THIS EQUIPMENT SHOULD NOT BE EXPORTED WITH A COMPUTER INTERFACE FEATURE; SEE COCOM DOC (76) 1000, IL 1091, NOTE 3(D)(6).

2. WE RECOMMEND THAT A TECHNOLOGY STATEMENT BE ADDED TO
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PAGE 02 STATE 301975

THE NEW INTERPRETATIVE NOTE. THE LANGUAGE FOR SUCH A NOTE

HAS ALREADY BEEN PRESENTED IN REF (C) WHEN THE US AGREED TO THE BELGIAN EXPORT OF CNC EQUIPMENT TO ROMAN, A. PRECEDENCE FOR THIS TYPE OF STATEMENT CAN BE FOUND IN LIST B, INTERPRETATIVE NOTE NO. 21 (PAGE 149), IL 1564 NOTE NO. 1 (PAGE 69) AND IL 1565 NOTE NO. 2 (PAGE 74). THUS, WE RECOMMEND THE FOLLOWING INTERPRETATIVE NOTE BE ADOPTED:

"THE FOLLOWING TYPES OF NUMERICAL CONTROL UNITS, WITHOUT INTERFACE TO ENABLE DATA EXCHANGE WITH ANOTHER COMPUTER, WHICH ARE" (REMAINDER SAME AS THE NORWEGIAN PROPOSAL 1091/8).

"NOTHING IN THE ABOVE SHALL BE CONSTRUED AS SANCTIONING THE EXPORT OF HARDWARE OR SOFTWARE (CNC) TECHNOLOGY FOR NUMERICAL CONTROL UNITS, OR FOR COMPONENTS THEREOF, DESCRIBED BELOW. SOFTWARE EXPORTED IN CONNECTION WITH ANY OF THE EQUIPMENT DESCRIBED BELOW SHALL BE LIMITED TO:

A) AN OPERATING PROGRAM TO ALLOW THE UNIT TO PERFORM ITS NORMAL FUNCTIONS; AND

B) DIAGNOSTIC PROGRAMMES TO VERIFY CONTROL AND/OR MACHINE PERFORMANCE AND PERMIT LOCALIZATION OF HARDWARE MALFUNCTIONS, PROVIDED:

1) THAT ANY PROGRAMMES FURNISHED WOULD BE EXECUTABLE WITHOUT FURTHER COMPILATION, ASSEMBLY, INTERPRETATION OR PROCESSING THAN MEMORY STORAGE LOADING, AND WOULD BE SUPPLIED AS ENTITIES RATHER THAN IN MODULAR FORM; AND

2) PROGRAMME DOCUMENTATION SUPPLIED WOULD NOT CONTAIN LISTINGS OF INSTRUCTIONS, DESCRIPTION OF PROGRAMME ORGANIZATION AND/OR FUNCTION BEYOND THAT REQUIRED FOR PROGRAMME USE AND FOR MAINTENANCE OF HARDWARE WITH WHICH THEY OPERATE, FLOW CHARTS, LOGIC DIAGRAMS, OR ALGORITHMS EMPLOYED, NOR ANY REFERENCE TO SPECIFIC MEMORY STORAGE LOCATIONS, AND ANY OTHER INFORMATION ABOUT THE FUNCTION OR DESIGN OF THE SOFTWARE WHICH
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PAGE 03 STATE 301975

WOULD ASSIST IN THE ANALYSIS OR MODIFICATION OF ALL OR PART OF IT."

3. IN PRESENTING THIS AMENDMENT TO THE INTERPRETATIVE NOTE, USDEL SHOULD STATE THAT THE PURPOSE OF THE SUGGESTED CHANGE IS TO PRECLUDE THE EXPORT OF ANY MANUFACTURING TECHNOLOGY AND CERTAIN SOFTWARE FOR CONTROL SYSTEMS EXEMPTED FROM EMBARGO BY THIS NOTE UNTIL SUCH TIME THAT THESE

ISSUES CAN BE MORE FULLY ADDRESSED AND RESOLVED. THE US WOULD HOPE TO DISCUSS THESE ISSUES EARLY NEXT YEAR WHEN IT IS CONTEMPLATED THAT PROPOSALS FOR THE REDEFINITION TO IL 1091 WILL BE CONSIDERED. IN THE INTERIM, HOWEVER, WE WISH TO GUARD AGAINST THE SLIPPAGE OF TECHNOLOGY OR EQUIPMENT WHICH COULD UPGRADE BLOC CAPABILITIES IN THE 1091 AREA. THE ADDITION OF "WITHOUT COMPUTER INTERFACE" IN THE IN IS INTENDED TO PREVENT EXPORTS OF INTERFACE PROGRAMS FOR DNC USES. IF THE FLAME-CUTTER CONTROL UNIT IS INTERFACED, IT NEEDS A PROGRAM TO TIE IT TO THE HOST COMPUTER. WHILE WE ARE NOT CONCERNED RE A FLAME-CUTTER CONTROL UNIT DRIVING OTHER INDIVIDUAL FLAME-CUTTERS, WE ARE CONCERNED THAT THE SOFTWARE PROGRAMS FOR THE INTERFACE COULD DIVULGE DNC TECHNOLOGY.

4. THE RESTRICTIONS AGAINST OTHER TYPES OF HARDWARE AND SOFTWARE WHICH IS NOT EXPORTABLE UNDER THE IN, IS PREDICATED UPON THE CONCERN THAT ADDITIONAL PROGRAMS MIGHT DEVELOP TECHNOLOGY WHICH COULD ENABLE RECIPIENT TO DEVELOP HIS OWN SOFTWARE FOR 1091 MACHINE TOOL CONTROL UNITS. KONGSBERG, AS WELL AS OTHER MANUFACTURERS, MAKE OTHER TYPES OF CONTROL UNITS BESIDE THE CNC 600 FC SYSTEM. THE PROGRAM LANGUAGES FOR THESE OTHER UNITS ARE LIKELY TO CONTAIN COMMON FEATURES, SUCH AS THE ALGORITHM WHICH IN TURN IS TIED INTO THE COMPANY'S PROPRIETARY EXECUTIVE PROGRAM. THEREFORE, ADDITIONAL SOFTWARE PACKAGES COULD REVEAL THE COMMON ALGORITHM BASE WHICH COULD BE USED BY THE RECIPIENT FOR THE DEVELOPMENT OF HIS OWN PROGRAMS FOR HANDLING MULTI-AXES MACHINE TOOLS OTHER THAN FLAME-CUTTERS. IF CHALLENGED ON THIS POINT, USDEL MAY SAY THAT US TECHNICAL EXPERTS HAVE DONE JUST THAT, ALBEIT WITH MUCH TIME AND EFFORT. KISSINGER

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